


**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

| | | |
|---------------------------------|---|---------------------|
| T. LEVY ASSOCIATES, INC. | : | CIVIL ACTION |
| | : | |
| v. | : | NO. 16-4929 |
| | : | |
| KAPLAN, et al. | : | |

ORDER

AND NOW, this 4th day of May 2017, upon consideration of Defendants' Motions for summary judgment (ECF Doc. Nos. 43, 62), Plaintiff's Opposition (ECF Doc. No. 65) and for reasons in the accompanying Memorandum, it is **ORDERED** Defendants' Motions (ECF Doc. Nos. 43, 62) are **GRANTED in part and DENIED in part**:

1. Upon Plaintiff's consent, all claims against Defendant Deyvid Demelo are **DISMISSED** and he is dismissed from the case;
2. Upon consent, Defendants' Motion as to the Lanham Act and Computer Fraud Abuse Act claims is **GRANTED** and those claims (Counts II, III) are **DISMISSED with prejudice**; and,
3. Defendants' Motion as to the remaining claims against Defendants Michael R. Kaplan, Nina Kaplan and BLC Beauty, Inc. is **DENIED** as there are genuine issues of material fact requiring jury determination.



KEARNEY, J.